IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL No. 1189 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/03/2005 in WP No. 6673 OF 2005 on the file of the High Court.)

Between:

Tiffins Barytes Asbestos and Paints Limited, Suit 6, B. Kences Towers, Ramakrishna Street, North Usman Road, T. Nagar, Chennai - 600 017, Rep. by its G.P.A. HOlder A. Raja Gopal.

..... APPELLANT

AND

1. The State of Andhra Pradesh, represented by its Secretary, Industries and Commerce Department, Secretariat Buildings, Hyderabad.
2. The Director of Mines and Geology, Burgula Ramakrishna Rao Bhavan, Secretariat Road, Hyderabad.
3. The Assistant Director of Mines & Geology, Formerly at Kadapa and now at Yerraguntla, Kadapa District.

.....RESPONDENTS

Counsel for the Appellant: Mr. Y.N.LOHITA

Counsel for Respondents : GP FOR INDUSTRIES & COMMERCE

The Court made the following :

ORAL JUDGMENT:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

This is an appeal filed against the order passed by the learned Single Judge in W.P.No.6673 of 2005. The writ petitioner challenged the notice dated: 17.5.2001 in the year 2005. We have not found any reason given in the writ affidavit for coming to this court after four years. The learned counsel challenged the notice on the ground that Respondent No.3 had no jurisdiction to pass the order impugned. The learned Single Judge has noticed that this order is appealable under Section 30 of the Mines and Minerals (Development and Regulation) Act, 1957, with which we respectfully agree. The plea of lack of jurisdiction can also be taken up before the Central Government under Section 30 in revision proceedings. For these reasons, we do not find merit in this Appeal, which is accordingly dismissed with costs throughout.

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BILAL NAZKI, ACJ.

27.6.2005.

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G.CHANDRAIAH, J.

VR.

To

1. The Secretary to Government of Andhra Pradesh,
Industries and Commerce Department, Secretariat Buildings, Hyderabad.

2. The Director of Mines and Geology, Burgula Ramakrishna Rao
Bhavan, Secretariat Road, Hyderabad.
3. The Assistant Director of Mines & Geology, Formerly at Kadapa and now at
Yerragunta,
Kadapa District.

4. Two CCs to Government Pleader for Industries & Commerce,

High Court Buildings, Hyderabad (OUT).

5. Two CD copies.